

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 1747 OF 2005

Rishabh Kumar Jain..... ... Petitioner.

Versus

Union of India & Anr. Respondents.

Mr. D. V. Gangal for the Petitioner.

Mr. R. C. Master with Mr. Rajiv Chavan
for Respondent No.1.

Ms. S. I. Shaikh for Respondent No.2.

**CORAM : V. G. PALSHIKAR &
D. B. BHOSALE, JJ.**

DATED : OCTOBER 20, 2005.

P.C. :

By this petition, the petitioner has made the
following prayer :

"This Honourable Court may graciously be
pleased to call for the records of the case
and after going through the same be pleased
to issue a writ of mandamus or any other
writ in nature of mandamus or an order or
direction directing the Respondents to
implement the orders dated 03-05-1991,

12-12-2001 and 14-12-2001 passed by the Central Administrative Tribunal, Mumbai Bench in OA No.373 of 1987, OA No.10 of 1995 and OA No.134 of 1996."

2. The writ jurisdiction of this Court is, therefore, invoked to implement and execute the order passed by the Central Administrative Tribunal, which by law is subordinate to this Court. Such a petition for the purposes of executing orders of subordinate courts is not maintainable.

3. Apart from the fact, the petition is not maintainable. The Petitioner is defending the action taken by the Respondents in the writ petition filed and pending before this Court and yet this writ petition is filed. In our opinion, this amounts to abuse to the process of law. We, therefore, dismiss the petition with costs of Rs.2,500/-.
